



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/558,077	04/25/2000	Will Scullin	GEOC.P0016	9187

7590 10/27/2003  
Thomas C Webster  
Blakely Sokoloff Taylor & Zafman LLP  
12400 Wilshire Boulevard  
Seventh Floor  
Los Angeles, CA 90025

EXAMINER

WANG, LIANG CHE A

ART UNIT PAPER NUMBER

2155

DATE MAILED: 10/27/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

BY

# Office Action Summary

Application No.

09/558,077

Applicant(s)

SCULLIN, WILL

Examiner

Liang-che Alex Wang

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 25 April 2000.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### DETAILED ACTION

1. Claims 1-14 have been examined

#### *Specification*

2. The disclosure is objected to because of the following informalities:
  - a. Page 8 line 22, "Internet connection **device** 120" should be changed to "Internet connection **system** 120" to keep the consistency through the specification.
  - b. Page 8 line 24, "Internet connection systems that **provider** faster data..." should be changed to "Internet connection systems that **provide** faster data..."

Appropriate correction is required.

#### *Claim Objections*

3. Claim 2 is objected to because of the following informalities:
  - a. Claim 2 lines 2-3, "if **said the** Internet" should be changed to "if **said** Internet".

Appropriate correction is required.

#### *Claim Rejections - 35 USC § 112*

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claim 6 recites the limitation "said external data appliance device" in lines 1 and 2.

There is insufficient antecedent basis for this limitation in the claim and the claim it is

dependent on (claim 1). The Examiner views claim 6 is dependent on claim 5 for further examination.

***Claim Rejections - 35 USC § 102***

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 1-4, 13-14 are rejected under 35 U.S.C. 102(e) as being anticipated by Unger et al., US Patent Number 6,230,168, hereinafter Unger.
8. Referring to claim 1, Unger has taught a method for handling browser requests for more than one data service with a personal proxy program (Figures 11 and 12), said method comprising:
- a. accessing a browser's Internet settings (Col 12 lines 56-57);
  - b. storing said browser's Internet settings (Col 12 lines 57-59);
  - c. setting said browser to access said personal proxy program (Col 11 line 66 – Col 12 line 4);
  - d. accepting in said personal proxy program a request from said Internet browser (Col 12 line 66 – Col 13 line 2, and Col 13 lines 22-25);
  - e. selecting a handler to handle said request (Col 12 line 66 – Col 13 line 6); and
  - f. directing said request to said handler (Col 13 lines 1-6);

Art Unit: 2155

9. Referring to claim 2, Unger has further taught wherein directing said request to said handler comprises directing said request to the Internet using said Internet settings if said Internet should handle said request (Col 13 lines 22-25, and Col 12 lines 15-17);
10. Referring to claim 3, Unger has further taught wherein directing said request to said handler comprises directing said request to a second program running on a computer system (see Figure 11, a computer system, such as a personal computer, inherently has programs (computer codes, as second program mentioned in the claim)) that is running said personal proxy program (Col 13 line 1-3)(without this “second program”, the personal proxy program itself would not function. And the request that is being directed to the personal proxy is also inherently being directed to the second program since the computer code that is running the personal proxy must also receive the request in order to process and send out the requests.)
11. Referring to claim 4, Unger has further taught wherein said second program comprises a local cache sever if said local cache sever should handle said request (see Figure 11 and 12, items 86 and 112.)
12. Referring to claims 13-14, claims 13-14 encompass the same scope of the invention as that of the claims 1-2. Therefore, claims 13-14 are rejected for the same reason as the claims 1-2.

***Claim Rejections - 35 USC § 103***

13. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

Art Unit: 2155

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

14. Claims 5-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Unger in view of Smith, US Patent Number 6,557,756, hereinafter Smith.

15. Referring to claim 5, Unger has taught an invention as described in claim 1, However Unger has not taught wherein the request is being direct to an external data appliance device.

However, Smith has taught a method of controlling TV functionality in Internet-browsing apparatus that is using a browser to navigate a web page and use the web page to control the remote TV (Col 5 lines 12-16, TV is viewed as an external data appliance).

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to modify the teaching of Unger such that to direct the request to an external data appliance because both Unger and Smith have taught inventions of directing requests from the user browsers to request remote services.

A person with ordinary skill in the art would have been motivated to make the modification to Unger because having Unger's system to direct the request to external appliance device as taught by Smith would allow Unger's system to have the home automation capability to control home appliances through personal proxy.

16. Referring to claim 6, Unger has modified has further taught wherein directing said external data appliance device receives data from a data broadcast network (Smith, Col 16 lines 28-33, Col 7 lines 18-20, and figure 9 item 53.)

17. Referring to claim 7, claim 7 encompass the same scope of the invention as that of the claim 1, except the limitation of the second request handler. However, Smith has taught a method of using the user browser to control the external appliance device (Col 5 lines 12-16).

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to modify the teaching of Unger such that to have the second handler to handle the request that is directing the external appliance device because both Unger and Smith have taught inventions of directing requests from the user browsers to request remote services.

A person with ordinary skill in the art would have been motivated to make the modification to Unger because having Unger's system to direct the request to external appliance device as taught by Smith would allow Unger's system to have the home automation capability to control home appliances through personal proxy

18. Referring to claim 8, Unger has modified has further taught, wherein said first request handler comprises Internet (Col 12 lines 15-17, and Figure 1).
19. Referring to claim 9, Unger as modified has further taught wherein first request handler comprises directing said request to a second program running on a computer system (see Figure 11, a computer system, such as a personal computer, inherently has programs (computer codes, as second program mentioned in the claim)) that is running said personal proxy program (Col 13 line 1-3)(without this "second program", the personal proxy program itself would not function. And the request that is being directed to the personal proxy is also inherently being directed to the second program since the computer

Art Unit: 2155

code that is running the personal proxy must also receive the request in order to process and send out the requests.)

20. Referring to claim 10, Unger as modified has further taught wherein said first request handler comprises a local cache sever if said local cache sever should handle said request (see Figure 11 and 12, items 86 and 112.)

21. Referring to claim 11, Unger as modified has further taught wherein said first handler comprises external data appliance (Col 5 lines 12-16, TV is viewed as an external data appliance).

22. Referring to claim 12, Unger has modified has further taught wherein directing said external data appliance device receives data from a data broadcast network (Smith, Col 16 lines 28-33, Col 7 lines 18-20, and figure 9 item 53.)

### *Conclusion*

23. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Applicant is reminded that in amending in response to a rejection of claims, the patentable novelty must be clearly shown in view of the state of the art disclosed by the references cited and the objection made. Applicant must show how the amendments avoid such references and objections. See 37 CFR 1.111(c).

24. Fields et al., US Patent Number 6,412,008, has taught a system for cooperative client/server customization on web pages.

25. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Liang-che Alex Wang whose telephone number is (703)



Art Unit: 2155

305-8159. The examiner can normally be reached on Monday thru Friday, 8:30 am to 5:00 pm.

26. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain T Alam can be reached on (703)308-6662. The fax phone numbers for the organization where this application or proceeding is assigned is (703) 872-9306 for regular communications.
27. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Liang-che Alex Wang *lcw*  
October 16<sup>th</sup>, 2003

*Hosain Alam*  
**HOSAIN ALAM**  
**SUPERVISORY PATENT EXAMINER**